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VIA ECF

February 9, 2018

Hon. Vera M. Scanlon
United States Magistrate Judge
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Ungar v. the City of New York et. al
15-CV-6091

Dear Judge Scanlon:

I represent the plaintiff, Moshe Ungar.

The parties have made efforts to have Mr. Quito appear for a deposition. Upon information, the Court has previously issued a subpoena for his attendance at a deposition, however, he did not appear and a statement was placed on the record regarding his non appearance. Subsequently, I viewed the affidavit of service and found it to be defective.

I attach a revised subpoena. Counsel have agreed upon the terms of the subpoena. I intend to serve this subpoena and ensure that it is properly served.

I ask that your Honor sign this subpoena for the deposition of this non party witness.

Thank you for your consideration in this matter.

Very Truly Yours:

/S

David Zelman, Esq.